Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 L-03 CIAE-00 INR-10 NSAE-00 PA-01
SS-15 NSC-05 /047 W
----------067895 290642Z /20
R 281531Z JUN 78
FM AMEMBASSY BONN
TO SECSTATE WASHDC 9760
INFO USMISSION USBERLIN
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS

C O N F I D E N T I A L BONN 11870

E.O. 11652: GDS
TAGS: PGOV, BQG
SUBJECT: HESS LOSES APPEAL TO CONSTITUTIONAL COURT

REFS: (A) STATE 107362, (B) BONN 6508

1. ON JUNE 7, THE FIRST SENAT OF THE FEDERAL CONSTITUTIONAL COURT REJECTED THE APPEAL BY RUDOLF HESS, REPRESENTED BY HIS SON WOLF RUEDIGER HESS, FROM THE DECISION OF THE ADMINISTRATIVE COURT IN COLOGNE. THE COURT STATED THAT THE APPEAL WOULD NOT BE REFERRED TO THE FULL COURT FOR DECISION BECAUSE IT LACKED REASONABLE LIKELIHOOD OF SUCCESS ON THE MERITS.

2. AS REASONS FOR ITS DECISION, THE FIRST SENAT SAID THAT THE LOWER COURT'S DECISION DID NOT ABRIDGE ANY OF HESS' CONSTITUTIONAL RIGHTS. ACCORDING TO THE COURT, THE FEDERAL GOVERNMENT HAS "CONVINCINGLY" SHOWN THAT, IN RECENT YEARS, IT HAS UNDERTAKEN STEPS WHICH IT CONSIDERED APPROPRIATE FOR HIS BENEFIT AND THAT HE HAS NO RIGHT TO A CLAIM TO SPECIFIC MEASURES.

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3. IN DISTRIBUTING COPIES OF THE COURT'S DECISION TO THE BONN GROUP ON JUNE 27, THE FRG REP (WEGENER) SAID THAT THE BRIEF SUBMITTED BY THE FRG WILL NOT BE MADE PUBLIC SINCE THE APPEAL WAS DISALLOWED.
STOESSEL

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: COURTS
Control Number: n/a
Copy: SINGLE
Draft Date: 28 jun 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978BONN11870
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780268-0854
Format: TEL
From: BONN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780613/aaaaalei.tel
Line Count: 60
Litigation Code IDs:
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Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 STATE 107362, 78 BONN 6508
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 06 jun 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2184704
Secure: OPEN
Status: NATIVE
Subject: HESS LOSES APPEAL TO CONSTITUTIONAL COURT
TAGS: PGOV, BQG
To: STATE
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/bb5ae57e-c288-dd11-92da-001cc4696bcc
Review Markings:
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US Department of State
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20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014